

Testimony

North American Wetlands Conservation Reauthorization Act H.R. 3908, 107th Congress, 2nd. Session Submitted by John Berry National Fish & Wildlife Foundation

Mr. Chairman and Members of the Committee, I am John Berry, Executive Director of the National Fish & Wildlife Foundation. Thank you for your invitation to speak to the Committee today to offer our comments and views on the North American Wetlands Conservation Reauthorization Act. This bill, in its essence, proposes to extend authorization of the North American Wetlands Conservation Act from 2003 to 2007, while maintaining the authorized funding level at \$50 million. I applaud the Committee for considering this reauthorization, for it recognizes the critical importance of a piece of legislation that is widely considered one of the most effective habitat conservation instruments available today for migratory birds and other wildlife. I want to stress the importance of the current Act and its impressive accomplishments while also offering the Committee an opportunity to consider a few critically important concerns facing the conservation of birds.

In my current position, I have the distinct privilege of serving as a permanent member of the North American Wetlands Conservation Council, an advisory group serving the overall purposes of the Act and recommending habitat conservation projects for approval by the Migratory Bird Conservation Commission. I must pay due note to the other members of the Council -- the Director of the Fish & Wildlife Service, four Directors of State Fish & Game agencies representing each of the four migratory bird flyways, and three senior representatives from non-profit charitable organizations actively involved in habitat conservation -- for it is in the strength of this advisory body that the Act enjoys much of its success. My position also entrusts me to carry out the purpose of the Foundation, which is centered on conservation through effective and diverse partnerships and funding support through challenge grants. Our partners include Federal agencies, corporations, and Non-government organizations. For many years the Foundation has made migratory bird conservation a key priority, and continues to do so in diverse ways, including long term support of the North American Waterfowl Management Plan, helping stimulate and expand Partners in Flight, and working hand-in-glove with the Migratory Bird Conservancy.

With that said Mr. Chairman, I would like to give you my impressions and experiences with the Act and the activities of the Council. I recall the history of the Act, passed in 1989, as a bold and ambitious commitment made by the Congress largely in response to helping to provide essential financial resources for the nascent North American Waterfowl Management Plan, amongst other important purposes. The Act put a face on the Waterfowl Plan and its international and regionally-based Joint Venture partnerships. To this day the Act is viewed by the Joint Venture partners as their principal conservation tool for implementing critical habitat projects identified by partners, and the Council relies much on the opinions of Joint Venture

members in our deliberations on project selection. We have experienced with the Act and the Plan, in just a little more than a decade, a new way of doing business, one firmly rooted in collaboration, science, and funding commitment. We have also witnessed a piece of legislation that, due to the creative design of its authors, has been able to meet many of the emerging needs of migratory birds in North America. Meeting these needs is illustrated by the wide acceptance of the Act in helping to implement not only the Waterfowl Plan but other bird conservation plans, including Partners in Flight, North American Waterbird Conservation Plan, and U.S. Shorebird Conservation Plan, all of which emphasize the importance of habitat conservation. All of these partnerships are established with internationally acclaimed conservation organizations, National conservation departments, State and Provincial fish and game agencies, and numerous watershed and community-based groups focused in local areas.

Mr. Chairman, as one who has oversight of a major conservation grants program, I can say without any hesitation that the habitat matching grants offered by the Act, or "NAWCA as it is frequently known, are a huge success. Since 1989, the Act has sponsored nearly 1,000 separate projects, large and small, that in total have involved well over 5,000 separate organizations or agencies. And those statistics provide a clear glimpse of the true value of this law, the protection and restoration of well over eight million acres of wetlands and associated uplands in the United States and Canada; and we are closing in on nearly a half million acres in Mexico.

As you may know, Mr. Chairman, NAWCA projects must support long-term wetlands acquisition, restoration, and/or enhancement and partners must minimally match the grant request at a 1-to-1 ratio. This match requirement is a critical strength of the Act. For the Act's Standard Grants, more than \$460 million has been invested through the Act since 1991, and I understand that total partner contributions have amounted to more than \$1.3 billion. That is a staggering amount of partner support. Additionally, the Council has for many years also hosted a Small Grants program which I have personally been very supportive of for its ability to generate new partners from diverse backgrounds. My experience with this effort as well as Small Grant programs the Foundation has, such as our program for the Chesapeake Bay Watershed, is that grants can be designed in many ways to meet specific needs. The Wetlands' Act's grants meet many needs internationally, from expansive landscapes to small farm habitats. NAWCA Small Grants are awarded for up to \$50,000, and several hundred individual partners have been involved in over 160 projects across the United States. Since 1996, when this initiative was begun, over \$6.6 million has been provided by the Act, which has leveraged an incredible \$50 million in partner support. In my relatively short tenure with the Wetlands Council, I can only say that I am deeply impressed with the capability of this Act to conserve habitat at a general rate of one to three in Federal/non-Federal dollars. That is a clear financial investment for the Federal government. My being able to participate as a Council member in this dynamic program, and weighing-in, so-to-speak, on deciding which projects are the best of the best, is an invigorating and challenging experience, one I sincerely appreciate.

Mr. Chairman, I am pleased to see recent increases in appropriated funding for the Act. Appropriations had been modest throughout the 1990s, never peaking beyond \$15 million. In FY 2001, however, Congress appropriated a \$40 million, and this fiscal year, FY 2002, Congress appropriated \$43.5 million, both of which are notable successes. Fortunately, for fiscal year 2003, the President has requested \$43.560 million, showing a continued commitment in light of some very urgent needs facing the country at this time. With the other sources of revenue for the Act, there has been, over the past 2 years alone, an annual average of \$75 million. That level of funding is impressive, and as a Council member have been pleased to have that level of funding available for funding projects. It is prudent to observe though, that in those two years, after NAWCA awards had been granted, there remained over 130 unfunded projects needing \$24 million in Act support. Most important is the \$71 million in committed partner support that was not used because there simply was not enough Act funding to meet partner commitments.

Mr. Chairman, as stated in my introduction, I would like now to offer brief description of two concerns that flow from my preceding remarks that need thoughtful and deliberate consideration by this Committee, both of which center, once again, on habitat for birds. The concerns are funding and geographic scope. Birds in the United States are world travelers and they need quality habitat in non-fragmented areas throughout their migratory range, which often spans thousands of miles and many countries. More than half of the 800 bird species in North America depend on wetlands for survival. Biologists are concerned about 200 of these species including 72 that are wetlands-dependent and are already on the endangered list. The Act serves to guard against further decline, helping to meet critical habitat needs not only in the United States but in their Canadian breeding grounds and Mexican wintering sites. There remains an immense need for habitat conservation, a need that dwarfs available funds provided by the Act. Clearly, funding support over the past years through the Act and other vehicles has been refreshing and essential. But the challenge is daunting. Even with all the attention wetlands have received over the past several decades through a vast assortment of regulatory and non-regulatory mechanisms, they continue to decline. Grassland habitat surrounding wetlands are essential to wetland species and upland species alike, and they have only recently received due attention for protection and restoration. To even begin to meet the needs of these hundreds of species of birds that rely in whole or in part on wetlands, the funding level of the Act would need to rise by a magnitude or more.

My second concern, Mr. Chairman, is geographic scope. People orient around political boundaries, birds do not. Now more than ever, it is appropriate and necessary for migratory bird conservation to reach a new level of influence, one that is biologically and geographically meaningful. The inability of the Act to serve species that reside in the United States in all of their habitats internationally is, in my opinion, a serious impediment. This topic has been discussed extensively by Council members, and there are many words of caution and concern about stretching funding resources too thin. Nevertheless, I am convinced that extending the influence of the Act to all of Latin America and the Caribbean would be a significant and

laudable achievement, particularly if done with acute sensitivity to the concern for funding already expressed. There is an urgent need to work closely and diligently with our neighbors throughout the Western Hemisphere to advance conservation of habitat in critical areas. Mr. Chairman, nearly 65 million Americans recreationally enjoy migratory birds in the United States alone, nearly one in four citizens. We believe the Act can be further strengthened to greatly benefit our migratory bird resource throughout their range.

. In summary, Mr. Chairman, NAWCA is unquestionably one of the most highly recognized and appreciated conservation tools available in the U.S., Canada, and Mexico, and my observations as a Council member crystalize on that salient finding. It is a model conservation instrument that can continue to meet some extreme challenges, and could evolve into an even farther reaching instrument with select modifications I discussed. Thank you again Mr. Chairman for this opportunity to speak about my experience with the Act. This concludes my prepared statement. I will be pleased to respond to any questions you may have.